

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER
DISASTER SITE LITIGATION

21 MC 100 (AKH)

RICHARD VOLPE,

Plaintiff(s),

STIPULATION OF
VOLUNTARY DISMISSAL

-Against-

Civil Action No.: 04cv04177

CITY OF NEW YORK, et al.,

Defendant(s),

IT IS HEREBY STIPULATED AND AGREED, by and between the parties that, pursuant to the Federal Rule of Civil Procedure 41(a)(1)(A)(ii):

1. The above-captioned Plaintiffs' action are voluntarily dismissed with prejudice pursuant to the following terms and conditions:
2. All claims by the above-captioned Plaintiffs against all Defendant(s) or against any Defendant arising out of or relating in any way to World Trade Center-related rescue, recovery, and/or debris-removal operations and/or clean up at any location on and/or after September 11, 2001, are ~~voluntarily dismissed with prejudice~~ *to the extent they*
3. ~~all claims~~ that were asserted or could have been brought in relation to Plaintiffs' existing pleadings are dismissed with prejudice.
4. The dismissal is without costs.

PATTON BOGGS LLP

WORBY GRONER EDELMAN & NAPOLI
BERN

By: *[Signature]*
James E. Tyrrell, Jr. (JT-4675)
One Riverfront Plaza, 6th Floor
Newark, New Jersey 07102
(973) 848-5600
Attorney for WTC Captive Insureds



By: *[Signature]*
Christopher R. LoPalo (CL 6466)
350 Fifth Avenue, Suite 7413
New York, New York 10118
(212) 267-3700
Attorney for Plaintiff

Dated: December 19, 2011

Dated: December 19, 2011

*So ordered, as amended.
12/20/11
[Signature]*

LITCHFIELD CAVO LLP

By: 
James Regan (8289) 
420 Lexington Avenue, Suite 2104
New York, NY 10170
(212) 434-0100
Attorney for Seasons Industrial Contracting

Dated: December 19, 2011

ECKERT SEAMANS CHERIN & MELLOTT, LLC

By: _____
Steven R. Kramer (SRK-2097)
10 Bank Street, Suite 1061
White Plains, NY 10606
(914) 949-2909
Counsel to Taylor Recycling Facility, LLC

Dated: December ____, 2011

SCHIFF HARDIN LLP

By: _____
Paul Scudato (PS-5927)
666 Fifth Avenue, 17th Floor
New York, NY 10103
(212) 753-5000
Attorney for Port Authority of New York & New Jersey

Dated: December ____, 2011

MORRISON MAHONEY LLP

By: _____
Gary W. Harvey
250 Summer Street
Boston, MA 02210-1181
(212) 428-2498
Attorney for Survival

Dated: December ____, 2011

PILLINGER MILLER TARALLO, LLP

By: _____
Marc H. Pillinger (ML-5246)
570 Tuxter Road, Suite 275
Blauvelt, NY 10523
(914) 703-6300
Counsel to Evans Environmental & Geological Science and Management, LLC

Dated: December ____, 2011

MCGIVNEY & KLUGER, LLP

By: _____
Richard E. Leff (RL-2123)
80 Broad Street, 23rd Floor
New York, NY 10004
(212) 509-3456
Counsel to Phillips & Jordan, Inc.

Dated: December ____, 2011

LITCHFIELD CAVO LLP

By: _____
James Regan (8289)
420 Lexington Avenue, Suite 2104
New York, NY 10170
(212) 434-0100
Attorney for Seasons Industrial Contracting

Dated: December ____, 2011

ECKERT SEAMANS CHERIN & MELLOTT, LLC

By: _____
Steven R. Kraemer (SRK-2097)
10 Bank Street, Suite 1061
White Plains, NY 10606
(914) 949-2909
Counsel to Taylor Recycling Facility, LLC

Dated: December ____, 2011

SCHIFF HARDEN LLP

By: _____
Paul Scrudato (PS-5927)
666 Fifth Avenue, 17th Floor
New York, NY 10103
(212) 753-5000
Attorney for Port Authority of New York & New Jersey

Dated: December ____, 2011

MORRISON MAHONEY LLP

By: _____
Gary W. Harvey
250 Summer Street
Boston, MA 02210-1181
(212) 428-2496
Attorney for Survivor

Dated: December ____, 2011

PILLINGER MILLER TARALLO, LLP

By: _____
Marc H. Pillinger (ML-5246)
570 Tuxter Road, Suite 275
Elmsford, NY 10523
(914) 703-6300
Counsel to Evans Environmental & Geological Science and Management, LLC

Dated: December ____, 2011

MCGIVNEY & KLUGER, LLP

By: _____
Richard E. Leff (RL-2123)
80 Broad Street, 23rd Floor
New York, NY 10004
(212) 509-3456
Counsel to Phillips & Jordan, Inc.

Dated: December ____, 2011

LITCHFIELD CAVO LLP

By: James Regan (8289)
420 Lexington Avenue, Suite 2104
New York, NY 10170
(212) 434-0100
Attorney for Seasons Industrial Contracting

Dated: December __, 2011

ECKERT SEAMANS CHERIN & MELLOTT, LLC

By: Steven R. Kramer (SRK-2097)
10 Bank Street, Suite 1061
White Plains, NY 10606
(914) 949-2909
Counsel to Taylor Recycling Facility, LLC

Dated: December __, 2011

SCHIFF HARDIN LLP

By: Paul Scudato (PS-5927)
666 Fifth Avenue, 17th Floor
New York, NY 10103
(212) 753-5000
Attorney for Port Authority of New York & New Jersey

Dated: December __, 2011

MORRISON MAHONEY LLP

By: Gary W. Harvey
250 Summer Street
Boston, MA 02210-1181
(212) 428-2498
Attorney for Survivor

Dated: December __, 2011

PILLINGER MILLER TAVALLO LLP

By: Marc H. Pillinger (ML-5246)
570 Tuxedo Road, Suite 275
Elmsford, NY 10523
(914) 703-6300
Counsel to Evans Environmental & Geological Science and Management, LLC

Dated: December __, 2011

MCGIVNEY & KLUGER, LLP

By: Richard E. Leff (RL-2123)
80 Broad Street, 23rd Floor
New York, NY 10004
(212) 509-3456
Counsel to Phillips & Jordan, Inc.

Dated: December __, 2011

LITCHFIELD CAVO LLP

By: James Regan (8289)
420 Lexington Avenue, Suite 2104
New York, NY 10170
(212) 434-0100
Attorney for Seasons Industrial Contracting

Dated: December ____, 2011

ECKERT SEAMANS CHERIN & MELLOTT, LLC

By: Steven R. Kramer (SRK-2097)
10 Bank Street, Suite 1061
White Plains, NY 10606
(914) 949-2909
Counsel to Taylor Recycling Facility, LLC

Dated: December ____, 2011

SCHIEP HARDIN LLP

By: Paul Scudato
Paul Scudato (PS-5927)
666 Fifth Avenue, 17th Floor
New York, NY 10103
(212) 753-5000
Attorney for Port Authority of New York & New Jersey

Dated: December ____, 2011

MORRISON MAHONEY LLP

By: Gary W. Harvey
250 Summer Street
Boston, MA 02210-1181
(212) 428-2498
Attorney for Survivair

Dated: December ____, 2011

PILLINGER MILLER TARALLO, LLP

By: Marc H. Pillinger (ML-5246)
570 Taxter Road, Suite 275
Elmford, NY 10523
(914) 703-6300
Counsel to Evans Environmental & Geological Science and Management, LLC

Dated: December ____, 2011

MCGIVNEY & KLUGER, LLP

Richard E. Leff (RL-2123)
80 Broad Street, 23rd Floor
New York, NY 10004
(212) 509-3456
Counsel to Phillips & Jordan, Inc.

Dated: December ____, 2011

LITCHFIELD CAVO LLP

By: _____
James Regan (8289)
420 Lexington Avenue, Suite 2104
New York, NY 10170
(212) 434-0100
Attorney for Seasons Industrial Contracting

Dated: December ____, 2011

ECKERT SEAMANS CHERIN & MELLOTT, LLC

By: _____
Steven R. Kramer (SRK-2097)
10 Bank Street, Suite 1061
White Plains, NY 10606
(914) 949-2909
Counsel to Taylor Recycling Facility, LLC

Dated: December ____, 2011

SCHIFF HARDIN LLP

By: _____
Paul Scudato (PS-5927)
666 Fifth Avenue, 17th Floor
New York, NY 10103
(212) 753-5000
Attorney for Port Authority of New York & New Jersey

Dated: December ____, 2011

MORRISON MAHONEY LLP

By: _____
Gary W. Harvey
250 Summer Street
Boston, MA 02210-1181
(212) 428-2498
Attorney for Survival

Dated: December ____, 2011

PILLINGER MILLER TARALLO, LLP

By: _____
Marc H. Pillinger (ML-5246)
570 Tuxter Road, Suite 275
Elmsford, NY 10523
(914) 703-6300
Counsel to Evans Environmental & Geological Science and Management, LLC

Dated: December ____, 2011

MCGIVNEY & KLUGER, LLP

By: _____
Richard E. Left (RL-2123)
20 Broad Street, 2nd Floor
New York, NY 10004
(212) 509-3456
Counsel to Phillips & Jordan, Inc.

Dated: December 19th, 2011